COURT FEE 5 RS FIVE RUPEES भारत INDIA पाँच रुपये

COURT FEE 5 RS FIVE RUPEES भारत INDIA पाँच रुपये

P.R. No. 3209/06
Presented by Shri H.S. Bajaj
dated 18/9/06

(4) CF102 SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR C.G.

Writ Petition (C) No. 5293 of 2006.

Petitioners: Plaintiffs

1. Ramin Bai aged 65 years widow of Ramdayal,
2. Ram Prasad aged 45 years son of Ramdayal,
3. Mohan lal aged 35 years son of Ramdayal,
4. Manohar lal aged 24 years son of Ramdayal,

above all by caste Jaiswal, cultivators, resident of village Barekelkhurd post office Hasod Tahsil Jaijaypur, District Janjgir-Ch C.G.

5. Mohanmati aged 30 years daughter of Ramdayal, wife of Pakadu by caste Jaiswal occupation cultivator resident of village Badesipath, Tahsil Malkharoda Dist. Janjgir-Champa C.G.

VERSUS.

Respondents Defendants :

1. Sarhi Bai aged 50 years widow of Bahadul,
2. Photo Bai aged 25 years daughter of Bahadul, wife of Sadhu,

above both by caste Jaiswal cultivators resident of village Barekelkhurd post office Hasod, Tahsil Jaijaypur Dist. Janjgir-Champa.

3. Gulab Bai aged 27 years daughter of Bahadul and wife of Jairam by caste Jaiswal occupation household resident of village Sirpur Tahsil Bilaigarh(Balodabazar) Dist. Raipur C.G.
4. Ghasanih Bai aged 35 years daughter of Bahadul widow of Buddhuram by caste Jaiswal cultivator resident of village Kosamjhar post office & Tahsil Dabhara Dist. Janjgir-Champa C.G.
5. The State of Chhattisgarh through the Collector Janjgir-Champa C.G.

OATH COMMISSIONER S.K. JAISWAL SAKTI TAHSIL 7/9/06

RECEIVED-COPY 18/9/06 H.C. BILASPUR

... 2 ..

(5)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(32)

मामला क्रमांक ..... W.P. 5293 ..... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	19.1.2007 Shri H.S.Patel, counsel for the petitioners. Heard on admission. This is a petition filed by the plaintiffs' under Article 227 of the Constitution of India against the order dated 27.7.2006, passed in Civil Suit No.395-A/2002. It appears that by the impugned order, an offer made by the plaintiffs for settlement of the dispute by arbitration award, compromise outside the Court, judicial compromise, through the Lok Adalat or through any other forum, has been dismissed by the Court on objection of the defendants, as the defendants were not agreeable to such an offer. The Court rejected the aforesaid offer and fixed the Civil Suit for further proceedings. Learned counsel for the petitioners points out that an application under Section 61 of the Arbitration And Conciliation Act, 1996, was filed before the trial Court and the Court would have entertain this application and would have pass an appropriate order in the matter. Needless to say that admittedly, proceeding before the trial Court is a Civil Suit, in which, the procedural law made by the Code of Civil Procedure has to be applied and if under the said law, an offer made for the compromise is not acceptable to the parties, the Court is left with no other way except to proceed with the trial by leaving such an offer.	

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 5293 सन् 2006 (33)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In the opinion of this Court, the trial Court has not committed any illegality or irregularity by passing such an order. I do not find any reason to interfere with such an order under the superintending jurisdiction under Article 227 of the Constitution of India. The petition has no merits and the same is dismissed at the motion stage itself. Sd/- Sunil Kumar Sinha Judge	

sunita

P.T.O.

8/1512